

United States District Court District of Massachusetts

UNITED STATES OF AMERICA

v.

MAGISTRATE JUDGE'S DOCKET
NO. 2004-m-0559RBC

THOMAS B. ASELTINE,
Defendant.

MEMORANDUM AND ORDER OF DETENTION PURSUANT TO 18 U.S.C. § 3142(e)

COLLINGS, U.S.M.J.

The defendant appeared on January 12, 2005 for a continuation of the detention hearing which had commenced on December 29, 2004. His counsel stated that the defendant was no longer contesting the Government's motion for detention at this time. In view of the nature of the charges, I find that there are no conditions or combination of conditions which will reasonably assure the safety and other persons and the community. Accordingly, pursuant to 18 U.S.C. § 3142(e), it is ORDERED that the defendant be, and he hereby is,

DETAINED pending trial of the charges contained in the above-styled Complaint. Pursuant to 18 U.S.C. § 3142(e), my general finding is contained *supra*. Since detention in this case is not contested, at least as of the time of the detention hearing, I do not make any subsidiary findings and conclusions at this time. Further pursuant to 18 U.S.C. § 3142(i), it is ORDERED that:

- (1) The defendant be, and he hereby is, committed to the custody of the Attorney General for confinement in a corrections facility, separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) The defendant be afforded reasonable opportunity for private consultation with his counsel; and
- (3) On Order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to an authorized Deputy U. S. Marshal for the purpose of any appearance in connection with a court proceeding.

Review of the within Detention Order may be had by the defendant filing a motion for revocation or amendment of the within Order pursuant to 18 U.S.C. Sec. 3145(b).

This order is without prejudice to the defendant filing a motion at any time seeking to resume the detention hearing and for the Court to set conditions of release at any time in the future regardless of whether there have

been changed circumstances. If such a motion is filed, the Court will resume the detention hearing at its earliest convenience.

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

Date: January 12, 2005.